

MILPERSMAN 1910-120

SEPARATION BY REASON OF CONVENIENCE OF THE GOVERNMENT - PHYSICAL OR MENTAL CONDITIONS

Responsible Office	NAVPERSCOM (PERS-835) Active enlisted members	Phone:	DSN COM FAX	882-4431/4428 (901) 874-4431 882-2754
	NAVPERSCOM (PERS-913) Inactive enlisted members	Phone:	DSN COM FAX	882-4510 (901) 874-4510 882-2673
NAVPERSCOM CUSTOMER SERVICE CENTER		Phone:	Toll Free	1-866-U ASK NPC

References	(a) BUMEDINST 1300.2A (b) NAVMED P-117, Manual of the Medical Department (c) SECNAVINST 1850.4E (d) DoD Instruction 1332.14 of 28 Aug 2008 (e) SECNAVINST 5300.30D (f) Public Law 112-81, Section 527, National Defense Appropriation Act of Fiscal Year 2012
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1. **Separation Authority (SA):**

a. Commanding Officer (CO), Navy Recruit Training Command (NAVCRUITRACOM) serves as SA for recruit personnel.

b. COs with special courts-martial convening authority (SPCMCA) or higher.

2. **Policy:**

a. Physical or behavioral conditions which impair a member's performance, but do not amount to a physical disability, are covered under this article. They do not amount to a disability, but can affect potential for continued naval service (see above references). Conditions included, but not

limited to the list of conditions as outlined in references (a) through (c), which covers:

CONDITIONS	
(1)	Enuresis (bedwetting).
(2)	Sleepwalking and or somnambulism.
(3)	Dyslexia and other learning disorders.
(4)	Attention deficit hyperactivity disorder.
(5)	Stammering or stuttering.
(6)	Incapacitating fear of flying confirmed by psychiatric evaluation.
(7)	Airsickness, motion sickness, and or travel sickness.
(8)	Phobic fear of air, sea, and submarine modes of transportation.
(9)	Uncomplicated alcoholism or other substance use disorder.
(10)	Mental retardation.
(11)	Adjustment disorders.
(12)	Impulse control disorders.
(13)	Sexual gender and identity disorders paraphilias.
(14)	Factitious disorder.
(15)	Obesity.
(16)	Over height.
(17)	Psuedofolliculitis barbae of the face and or neck.
(18)	Medical contraindication to the administration of required immunizations.
(19)	Significant allergic reaction to stinging insect venom.
(20)	Unsanitary habits.
(21)	Certain anemias - in the absence of unfitting sequelae - including G6PD deficiency, other inherited anemia trait, and von willebrand's disease.
(22)	Allergy to uniform clothing or wool.
(23)	Long sleeper syndrome.
(24)	Hyperlipidemia.

b. The Government or the member can initiate separation request per this article.

(1) **Command-initiated request:** Per reference (d), involuntary separation processing may not be initiated until the Service member has been notified formally with NAVPERS 1070/613

Administrative Remarks, concerning performance deficiencies related to the physical or behavioral condition and advised of medical resources (if applicable) that may assist in the member's retention. Exhibit 1 refers. The CO must provide the member reasonable time to overcome deficiencies (if possible) as reflected in appropriate counseling or personnel records.

(2) **Service member-initiated request:** Service member may request separation based on a medical condition not amounting to disability which member's attending military physician believes exists and obviates the member's potential for continued naval service. Member may request separation only after all medical avenues of relief have been exhausted. Exhibit 2 refers. The medical officer must document why member's condition renders member incapable of completing obligated service (OBLISERV) in an operational capacity. This request is considered a voluntary separation; therefore, there are no separation pay entitlements and selective reenlistment bonus (SRB)/enlistment bonus (EB), if applicable, will be recouped.

c. Whether command- or Service member-initiated, specific documentation is required from the medical officer that condition renders member incapable of completing member's OBLISERV (e.g., forced conversion, reassignment, etc). If the request is forwarded to Navy Personnel Command (NAVPERSCOM) for disposition without the specific documentation mentioned above, the request will be disapproved.

d. NAVPERSCOM, Enlisted Distribution Division (PERS-40) can direct separation processing under this article for any member who is not worldwide assignable due to a medical condition. However, those members who have gone before a Physical Evaluation Board (PEB) and are found fit for duty are exempt from involuntary administrative separation processing under this article for the condition(s) for which the PEB found them fit.

3. **Procedures**. Administrative separation (ADSEP) packages must include the following:

a. NAVPERS 1070/613 which specifically addresses performance deficiencies related to physical or behavioral condition and resources available, unless Service member has requested the separation.

b. Request for separation from Service member (if initiated by Service member).

c. Administrative notification per MILPERSMAN 1910-402, if initiated by command.

d. Letter of transmittal per MILPERSMAN 1910-600.

e. Medical documentation from a medical officer supporting separation due to the condition or suitability screening form for operational or overseas assignment, signed by a medical officer.

NOTE: Per MILPERSMAN 1910-514, if an administrative board is required prior to a separation determination, the administrative board may not disregard or change the approved diagnosis of a medical officer. Members can introduce evidence as to the impact that such a diagnosis may have on their potential for productive future naval service.

f. If applicable, ADSEP processing message from NAVPERSCOM (PERS-40) based on operational unsuitability or assignment screening findings. This message is not authority to separate and does not constitute medical documentation; it is strictly direction to process for separation.

g. Members found fit for continued naval service by the PEB and found not worldwide assignable after completing a medical assignment screening will not be involuntarily administratively separated for the condition(s) per this article, nor will the member be denied reenlistment per reference (f).

NOTE: If CO determines the member has potential for continued naval service, albeit unable to execute operational duty orders, submit a separation package with CO's recommendation for retention. The package will be reviewed by NAVPERSCOM and Office of Chief of Naval Operations (OPNAV), Military Personnel

Plans and Policy Division (N13), and retention will be determined based on needs of Navy.

4. **Characterization of Service.** Honorable (HON), unless an entry level separation (ELS) (MILPERSMAN 1910-308) or General (under honorable conditions) (GEN) (MILPERSMAN 1910-304), is warranted. Selected Reserve (SELRES) personnel are not eligible for ELS.

5. **Human Immunodeficiency Virus (HIV) Personnel.** Personnel enrolled in the HIV program are governed under reference (e) and are not included in this article.

Exhibit 1
NAVPERS 1070/613 Administrative Remarks

NAVPERS 1070/613 is located on the Navy Personnel Command Web site, can be accessed by clicking on the following link:
<http://www.public.navy.mil/bupers-npc/reference/forms/NAVPERS/Pages/default.aspx>, and should contain the following statement:

(Date): ADMINISTRATIVE COUNSELING

1. You are hereby being counseled regarding your medical condition. You were diagnosed with (explain briefly the circumstances). Your present medical condition has not been considered a physical disability; however, it may be a disqualifying factor in determining your suitability for further naval service.
2. You are being afforded any and all medical assistance as required by your medical condition. You will adhere to any and all of the recommendations of your attending physician and or medical board.
3. Further assistance is available through: LPO, DEPARTMENT HEAD, COMMAND MASTER CHIEF, CHAPLAIN, XO, CO AND OFFICER OF THE MEDICAL CORPS.
4. This counseling is made to afford you an opportunity to undertake the recommended corrective action. Any failure to adhere to the guidelines cited above will make you eligible for administrative separation.

(Member's Signature)

WITNESSED BY

NOTE: If the Sailor refuses to sign, print "SAILOR REFUSED TO SIGN" above the signature line and have a commissioned officer print and sign as the witness.

Exhibit 2

ADMINISTRATIVE SEPARATION PER MEMBER'S REQUEST

(Use proper letter format containing the following.)

	(date)
From:	(Rate/Full Name/Branch/SSN (XXX-XX-1234, last four digits))
To:	Separation Authority (Special Courts-Martial Convening Authority (SPCMA) or higher)
Subj:	REQUEST FOR SEPARATION BASED ON PHYSICAL OR BEHAVIORAL CONDITION(S) NOT AMOUNTING TO A DISABILITY
Ref:	(a) MILPERSMAN 1910-120
Encl:	(1) Copy of medical documentation describing condition (2) Copy of mishap/safety investigation (where applicable)
1. Per reference (a), I request separation based on the medical condition which I and or my attending physician believe exists, but does not amount to a disability per current Navy guidance. The medical condition is (briefly describe/explain medical condition) and is supported by enclosure (1).	
2. The following information is provided:	
a. Active Duty Start Date:	
b. Expiration of Service:	
c. Date Reported Current Command:	
d. Projected Rotation Date (PRD):	
e. This medical condition (existed/did not exist) upon my entry into Navy.	
f. This medical condition (was/was not) the result of, or contributed to, my own misconduct.	
g. A mishap/safety investigation (was/was not) conducted regarding this medical injury/problem. If conducted, attach as enclosure (2).	
3. Remarks: Explain the history of your medical condition and why it prevents you from completing your obligated service in any capacity .	
<hr/> <div>(Member's Signature)</div>	

NOTE: CO's endorsement must verify information provided in paragraph 2 of member's letter is correct and, also, include why member's condition renders him or her incapable of completing OBLISERV in any capacity.